

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MARY YAAKUB,)
)
Plaintiff,)
)
v.) Case No. 4:22CV801 HEA
)
KALIBR, LLC, et al.,)
)
Defendants.)

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on Defendant's Motion to Remand, [Doc. No. 26]. Plaintiff has no opposition to the Motion. For the reasons set forth below, the Motion will be granted.

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendants removed this matter from the Circuit Court of St. Louis County, Missouri. Defendant's Motion to Remand is based upon and supported by the following: This case arises out of contractual and business disputes between the parties. It does not have any Federal Questions alleged in the Petition. The Removal was based on diversity jurisdiction between Plaintiff and Defendant Guardian Life Insurance Co. Guardian is a citizen of New York. Plaintiff Mary Yaakub is a citizen of the State of Missouri.

Defendants Kalibr, LLC, Kalibr I, LP, Kalibr Consulting LP, KC GP, Inc. and Jared E. Ellis are all citizens of the State of Missouri. On October 7, 2022,

Counsel for these Defendants waived service of summons.

With the appearance of the Missouri citizen defendants, diversity of citizenship between Plaintiff and Defendants have been destroyed and this Court does not have subject matter jurisdiction pursuant to 28 U.S.C. § 1332.

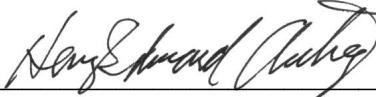
Counsel for the moving parties conferred with counsel for Plaintiff and counsel for Defendants Guardian Life Insurance Co. regarding remand. Counsel for moving parties apprised the Court that the other parties do not object to remand based on these facts.

Accordingly,

IT IS HEREBY ORDERED that this matter is remanded to the Circuit Court of St. Louis County, State of Missouri, Case Number 22sl-CC03176 pursuant to the procedures set forth in 28 U.S.C. § 1447.

An appropriate Order of Remand is entered this date.

Dated this 10th day of January 2023.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE